

UPDATED: 8/4/2015

AUGUST 2015

ORAL ARGUMENT

CALENDAR

Report Updated On: 8/4/2015

Updated: 08/04/2015

AUGUST, 2015

AUGUST 10, 2015

02:00 PM (ET) – MOTION PANEL,
JUDGE TAYLOR, PRESIDING, JUDGE JONES
AND JUDGE STUMBO, ASSOCIATE JUDGES.

AUGUST 11, 2015

11:00 AM (ET) - COURT MEETING

01:30 – 02:00 PM (ET) – ORAL ARGUMENT,
#2014-CA-000642, KENTUCKY INSURANCE GUARANTY
ASSOCIATION v WILLIAM A. ROOD – JUDGE IRV
MAZE, PRESIDING JUDGE, JUDGE DEBRA LAMBERT
AND JUDGE KELLY THOMPSON, ASSOC.

02:15 PM – 02:45 PM (ET) – ORAL ARGUMENT,
#2014-CA-001162, BRADLEY SETTLES v OWNERS
INSURANCE COMPANY – JUDGE IRV MAZE,
PRESIDING JUDGE, JUDGE DEBRA LAMBERT AND
JUDGE KELLY THOMPSON, ASSOC.

03:00 PM – 03:30 PM (ET) – ORAL ARGUMENT,
#2014-CA-000468, GARTH KUHNHEIN v. NORTHERN
KENTUCKY AREA PLANNING COMMISSION – JUDGE
KELLY THOMPSON, PRESIDING JUDGE, JUDGE DEBRA
LAMBERT AND JUDGE IRV MAZE, ASSOC.

AUGUST 12, 2015

10:30 AM – 11:00 AM (ET) – ORAL ARGUMENT,
#2014-CA-001343, JOSE RAMIREZ v TRACY NIETZEL –
JUDGE DEBRA LAMBERT, PRESIDING JUDGE,
JUDGE IRV MAZE AND JUDGE KELLY THOMPSON,
ASSOC.

11:15 AM – 11:45 AM (ET) – ORAL ARGUMENT,
#2014-CA-001289, JOHN ASHCRAFT v FARM CREDIT
SERVICES OF MID-AMERICA – JUDGE DEBRA
LAMBERT, PRESIDING JUDGE, JUDGE IRV MAZE AND
JUDGE KELLY THOMPSON, ASSOC.

PHONE NUMBERS WHERE PANEL MEMBERS CAN BE REACHED WHEN ORAL ARGUMENTS SCHEDULED:

FRANKFORT – Contact Patricia Brauer or Sam Givens- (502) 573-7920

LOUISVILLE – Contact Danae Bransford or Rachel Brawner - (502) 595-3430

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 WEST JEFFERSON STREET, LOUISVILLE, KY

DATE: Tuesday, August 4, 2015

01:30 PM PJ: KRAMER, HON. JOY A.

CLAYTON, HON. DENISE G.

DIXON, HON. DONNA L.

2014CA000402

DAVID GRIFFIN v SARAH C. JONES

Civil Case: Whether the trial court erred in granting a motion to dismiss wherein Appellant argues claims were brought against Appellee as a fiduciary.

CIVIL

CALLOWAY COUNTY

HON DENNIS R. FOUST

Appellant Atty:

Appellant Name:

KELLY, JOSEPH
SARTIN, ROBERT
SCHENK, LINDSAY
SUMNER, GRIFFIN

GRIFFIN, DAVID

Appellee Atty:

Appellee Name:

WICKER, J

JONES, SARAH

** NOTE:

**LOCATION: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE,
FRANKFORT, KENTUCKY**

DATE: Tuesday, August 11, 2015

01:30 PM PJ: MAZE, HON. IRV

LAMBERT, HON. DEBRA HEMBREE

THOMPSON, HON. KELLY

2014CA000642

KENTUCKY INSURANCE GUARANTY ASSOCIATION v WILLIAM A. ROOD

Declaratory judgment action stemming from veterinary malpractice case against two equine vets. Appellant assumed defense of suit after initial insurer became insolvent. Whether insurance policies for the vets and their practice require payment on a single claim/incident or on several "claimants" under KRS 304.36; whether malpractice plaintiff's benefit from his insurer required an offset against Appellant's payout; and whether other terms in policies precluded coverage. Appellant requests oral argument; issue of statutory interpretation is compelling.

CIVIL

FAYETTE COUNTY

HON JAMES D ISHMAEL

Appellant Atty:

Appellant Name:

GUILD, A JR

KENTUCKY INSURANCE GUARANTY ASSOCIATION

SANDIDGE, RIDLEY JR.

Appellee Atty:

Appellee Name:

DANFORD, DANIEL

BERNARD, WILLIAM

POLLOM, JOHN

** NOTE:

02:15 PM PJ: MAZE, HON. IRV

LAMBERT, HON. DEBRA HEMBREE

THOMPSON, HON. KELLY

2014CA001162

BRADLEY SETTLES v OWNERS INSURANCE COMPANY

Appeal from dismissal of counterclaim of negligence, violation of Kentucky Unfair Claims Settlement Practices Act, and bad faith by insured defendant's insurance company. Whether dismissal prior to discovery was premature; whether the CR 12 motion was timely; whether Appellant's claims had legal basis.

CIVIL

CASEY COUNTY

HON JUDY D. VANCE

Appellant Atty:

Appellant Name:

MOORE, ESCUM III

SETTLES, BRADLEY

Appellee Atty:

Appellee Name:

NUNERY, DAVID

OWNERS INSURANCE COMPANY

** NOTE:

**LOCATION: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE,
FRANKFORT, KENTUCKY**

DATE: Tuesday, August 11, 2015

03:00 PM PJ: THOMPSON, HON. KELLY

LAMBERT, HON. DEBRA HEMBREE

MAZE, HON. IRV

2014CA000468

GARTH KUHNHEIN v NORTHERN KENTUCKY AREA PLANNING COMMISSION

Appeal from summary judgment denying a request for a declaratory judgment that appellee collects ad valorem taxes in violation of KRS 147.610 and ruling that the appellee as a matter of law currently exists as a valid entity.

CIVIL

KENTON COUNTY

HON PATRICIA M SUMME

Appellant Atty:

**BRUNS, THOMAS
GATLIN, JACK
VOELKER, BRANDON**

Appellant Name:

KUHNHEIN, GARTH

Appellee Atty:

**LANGEN, JENNIFER
MANDO, JEFFREY**

Appellee Name:

**NORTHERN KENTUCKY AREA PLANNING
COMMISSION**

EDMONDSON, GARRY

NORDLOH, CHRISTOPHER

**THE NORTHERN KENTUCKY AREA PLANNING
COUNCIL**

**** NOTE:**

**LOCATION: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE,
FRANKFORT, KENTUCKY**

DATE: Wednesday, August 12, 2015

10:30 AM PJ: LAMBERT, HON. DEBRA HEMBREE MAZE, HON. IRV THOMPSON, HON. KELLY
2014CA001343 JOSE RAMIREZ v TRACY NIETZEL

Whether the Appellee violated the Appellant's due process rights in prison disciplinary case after a remand from KY Supreme Court.

CIVIL	BOYLE COUNTY	HON DARREN W. PECKLER
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
HENKE, MELISSA		RAMIREZ, JOSE
.....		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
BAYLOUS, EDWARD II		NIETZEL, TRACY
.....		

**** NOTE:**

11:15 AM PJ: LAMBERT, HON. DEBRA HEMBREE MAZE, HON. IRV THOMPSON, HON. KELLY
2014CA001289 JOHN ASHCRAFT v FARM CREDIT SERVICES OF MID-AMERICA

Whether the trial court erred in granting summary judgment in foreclosure case where appellant alleges mortgage was obtained by fraud and duress after time had passed for FCS to file a claim against late father/husband on previously unsecured personal note.

CIVIL	OWEN COUNTY	HON STEPHEN L BATES
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
CAREY, MARCUS		ASHCRAFT, JOHN
.....		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
HAYES, BRYAN		FARM CREDIT SERVICES OF MID-AMERICA
.....		
BAXTER, RUTH		FIRST FARMERS BANK & TRUST COMPANY
.....		

**** NOTE:**

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 WEST JEFFERSON STREET, LOUISVILLE, KY

DATE: Wednesday, August 19, 2015

01:30 PM PJ: TAYLOR, HON. JEFF S. ACREE, HON. GLENN E. NICKELL, HON. C. SHEA
2014CA000730 THOMAS MCKINNEY v PBI BANK, INC.

Whether circuit court properly granted summary judgment and order of sale in favor of appellee.

CIVIL	JEFFERSON COUNTY	HON OLU A. STEVENS
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
TAYLOR, ZACHARY		MCKINNEY, THOMAS
.....		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
GOSNELL, MICHAEL		PBI BANK, INC.
.....		

**** NOTE:**

02:15 PM PJ: TAYLOR, HON. JEFF S. ACREE, HON. GLENN E. NICKELL, HON. C. SHEA
2014CA001297 DELORES THOMPSON v NORTON HOSPITAL, INC.

Whether circuit court erred by granting summary judgment dismissing appellant's claims for hostile work environment and retaliation.

CIVIL	JEFFERSON COUNTY	HON CHARLES L. CUNNINGHAM
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
SCHARFENBERGER, KURT		THOMPSON, DELORES
.....		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
PERRY, DONNA		NORTON HOSPITAL, INC.
.....		

**** NOTE:**

**LOCATION: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE,
FRANKFORT, KENTUCKY**

DATE: Wednesday, August 26, 2015

02:00 PM PJ: JONES, HON. ALLISON E. KRAMER, HON. JOY A. LAMBERT, HON. DEBRA HEMBREE
2013CA001350 THELMA B. ANDERSON v MOTOROLA SOLUTIONS, INC.

Civil; Did the trial court err in granting summary judgment on the basis that there were no genuine issues of material fact as to whether Mr. Anderson came into contact with asbestos while working on Appellee's radios.

CIVIL CAMPBELL COUNTY HON FRED A STINE

Appellant Atty:

IVIE, PAUL
KELLEY, PAUL
SATTERLEY, JOSEPH

Appellant Name:

ANDERSON, THELMA

Appellee Atty:

JOHNSON, BRIAN

SCHUPBACH, REBECCA

Appellee Name:

MOTOROLA SOLUTIONS, INC.

ZENITH ELECTRONICS, LLC.

**** NOTE:**PREVIOUSLY ON 08/26/2014 AT 1:45 PM AT THE BOONE COUNTY JUSTICE CENTER, BURLINGTON, KENTUCKY.**